

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31126 of 2013

Arising Out of PS.Case No. -111 Year- 2012 Thana -KOCHADHAMAN District- KISANGANJ

Md. Mamnum Alam S/O Late Habibur Rahman, Village- Majkuri, P.S- Kochadhama, District- Kishanganj.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Block Development Officer-cum-Block Supply Officer, Kochadham, District Kishanganj

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
For the Opposite Party/s : Mr. Nazir Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-05-2016

The Petitioner seeks quashing of the order dated 24.6.2013 passed by the S.D.J.M., Kishanganj in G.R. case No.1050 of 2012 arising out of Kochadhaman P.S. case No.111 of 2012, by which he has rejected an application filed under Section 239 Cr.P.C.

The case of the prosecution is that on the date of occurrence seven bags of rice of 50 kgs each was seized from a bullock cart and it was believed that in fact it belonged to the Petitioner, who was taking it for black marketing.

It has been submitted on behalf of the Petitioner that apart from a vague statement that the rice belonged to the Petitioner and it was being transported for black marketing, there is no cogent

material to put him on trial.

Considering the aforesaid, the application is allowed and the proceeding including the order dated 24.6.2013 passed by the S.D.J.M., Kishanganj in G.R. case No.1050 of 2012 arising out of Kochadhaman P.S. case No.111 of 2012 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
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